

REMARKS/ARGUMENTS

Claims 22-31 are all the claims currently pending in the present application. Based on the following remarks, Applicant respectfully requests reconsideration of the application and allowance of the claims.

I. Rejection of Claims 22-31 Under 35 U.S.C. § 103(a)

Claims 22-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Everson et al. (U.S. Patent No. 5,261,094; hereinafter “Everson”) in view of Shaheen et al. (U.S. Patent No. 5,434,994; hereinafter “Shaheen”).

Claim 22 requires, *inter alia*, “[a] data processing method, comprising: ... *comparing* data records from at least one of a first and a second of the plurality of disparate databases *to corresponding data records of the status file* to determine whether data records of the plurality of disparate databases have changed or been deleted since the prior synchronization or whether there are new data records since the prior synchronization; ... *updating the data records of the status file* to reflect the contents of the data records in the first and the second of the plurality of disparate databases after the disparate databases have been updated, wherein *the data records of the first and the second databases are without unique identification codes.*”

Applicant respectfully submits that the combination of Everson and Shaheen do not teach or suggest at least the above features of claim 22. In rejecting claim 22, the Examiner correctly concedes that Everson “does not ... teach” or suggest “comparing data records from at least one of a first and a second of the plurality of disparate databases to corresponding data records of the status file to determine whether data records of the plurality of disparate databases have changed or been deleted since the prior synchronization or whether there are new data records since the prior synchronization, as required by claim 22. Additionally the Examiner correctly concedes that Everson “does not ... teach” or suggest “wherein the data records of the first and the second databases are without unique identification codes,” as required by claim 22. However, the Examiner relies on Shaheen to make up for the deficiencies of Everson. (See pgs. 3-4 of the Office Action) Applicant respectfully disagrees.

In rejecting claim 1, the Examiner relies on column 1, lines 32-36, column 2, lines 55-56 and column 7, lines 26-35, 41-55 of Shaheen in combination with Everson as teaching the features of claim 1. (See pgs. 3-4 of the Office Action) In contrast to claim 1, Shaheen, alone or in combination with Everson, the cited portion of Shaheen at best, relates to a manner in which to replicate data and “detect replica inconsistencies,” which may occur during a network failure or remote server failure, “and to initiate an update protocol to detect ... [the] conflicting replicas.” (Col. 1, lines 32-36, 63-66 & Col. 2, lines 50-54 of Shaheen) Shaheen, alone or in combination with Everson, discusses that when a “network or server failure has occurred ... [r]ecovery from this failure is then used to trigger an update process.” (Col. 6, lines 1-2)

During the update process, Shaheen explains that “a coordinator server ... locks its own fileset and sends a request to all subordinates to lock that fileset and to send the current fileset version vector to the coordinator.” (Col. 7, lines 10-14 of Shaheen) Shaheen further explains “[a] fileset version vector is maintained by each server for each fileset replica and that each modification to a replica on a server is tagged with a unique store-id (stored identification label).” (Col. 7, lines 22-30 of Shaheen) Further, Shaheen discusses that “[t]wo replica states can be compared using their store-ids and version vectors” and that “the result indicates whether the replicas are identical, inconsistent due to concurrent updates to both replicas, or unequal (one replica updated but not the other).” (Col. 7, lines 36-40 of Shaheen) Shaheen also discusses that “[n]ext the coordinator requests the modification log from each subordinate 506 for the fileset to be updated” and explains that the coordinator merges the [modification] logs 510 from all subordinates and sends the merged log to all subordinates” in which each subordinate performs the updates 514 that were missing from its replica.” (Col. 7, lines 44-52 of Shaheen) (emphasis added)

Given that Shaheen, (alone or in combination with Everson) at best, discloses that the coordinator server uses multiple modification logs sent from each subordinate 506 for a fileset to be updated and generates a merged log that is sent to each subordinate server so that each subordinate server can perform updates 514 that were missing from its replica, as noted above, Shaheen, either alone or in combination with Everson, is incapable of teaching or suggesting comparing data records from at least one of a first and a second of the plurality of disparate

databases to corresponding data records of *[a] status file*,” as required by claim 22. There is simply no mention, teaching or suggestion in Shaheen, alone or in combination with Everson, relating to any comparison of data records from at least two databases to corresponding data records of a single file, as required by claim 22. Column 5, lines 26-34 of Shaheen (alone or in combination with Everson) explains that the “modification log contains an operation independent portion” and that the “[o]peration independent portion 602 contains ... the userid of the update 606.” Since Shaheen, at best, discloses that the modification logs contain the userids of the update, Shaheen, alone or in combination with Everson, at best, discloses comparison of userids (e.g., store-ids) in multiple modification logs to determine “updates 514 that [are] missing from [a] replica” of each subordinate server. (Col. 7, lines 49-51 of Shaheen). In the combination of Shaheen and Everson, there is no comparison of any data records from at least two databases to corresponding data records of a single file, such as the claimed status file, as required by claim 22. For at least this reason, the combination of Everson and Shaheen are deficient and do not teach or suggest all of the features of claim 22.

Additionally, since the combination of Shaheen and Everson does not teach the or suggest the claimed status file, as noted above, the combination of Shaheen and Everson is also incapable of teaching or suggesting “updating data records of the status file to reflect the contents of the data records in the first and the second of the plurality of disparate databases after the disparate databases have been updated,” as required by claim 22. Nowhere in Shaheen, alone or in combination with Everson, is there any teaching or suggestion relating to updating a single file to reflect contents of data records in at least two databases *after* the two databases *have been updated*, as claimed. Rather, Shaheen, (alone or in combination with Everson) at best, discloses that the coordinator merges the multiple modification logs into a merged log and sends this merged log each of the subordinate servers so that each subordinate server can perform updates that were missing from its replica.” In Shaheen, alone or in combination with Everson, there is no update of any file after the subordinate servers have been updated, as required by claim 22. Rather the subordinate servers need to receive the merged log in order to perform updates. For at least this additional reason, the combination of Everson and Shaheen does not teach or suggest all of the features of claim 22.

Moreover, as noted above, Shaheen, alone or in combination with Everson, discloses that “[e]ach modification to a replica on a server is tagged with a unique store-id and that “two replica states can be compared using their store-ids ...” and that the modification logs contain a “userid of the update 606.” (Col. 5, lines 26-33; Col. 7, line 26-27, 36-37 & FIG. 6 of Sheenan) Given that Shaheen discloses usage of ids, Shaheen, alone or in combination with Everson, is incapable of teaching or suggesting “data records of the first and second databases are *without unique identification codes*,” as required by claim 22.

Based on at least the foregoing reasons, Applicant submits that the combination of Everson and Shaheen are deficient and does not teach or suggest all of the features of independent claim 22. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of claim 22 and its dependent claims 24, 26, 27, 28 and 30.

Since claim 23 recites “[a] data processing method comprising:” *inter alia*, “comparing data records from at least one of a first and a second of the plurality of disparate databases to corresponding data records of the status file to determine whether data records of the plurality of disparate databases have changed or been deleted since the prior synchronization or whether there are new data records since the prior synchronization; ... and updating the data records of the status file to reflect the contents of the data records in the first and the second of the plurality of disparate databases after the disparate databases have been updated ...”

Given that claim 23 contains features that are analogous to, though not necessarily coextensive with, the features recited in claim 22, Applicant respectfully submits that claim 23 and its dependent claims 24, 25, 26, 27, 29 and 31 are patentable at least for reasons analogous to those submitted for claim 22.

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Amdt. dated November 2, 2007
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II. Conclusion

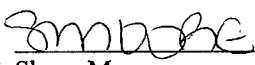
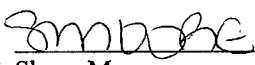
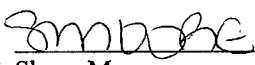
In view of the foregoing remarks, Applicant respectfully submits that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. Examiner Abel Jalil is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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